UNITED STATES DISTRICT COURT DISTRICT OF MASSACHUSETTS

TOT JAN 23 P 12: 05

REPRES OFFICE

RESPRICIPE TO COURT UNITED STATES OF AMERICA PLAINTIFF, V. Case No. 05-CV-11818-RWZ TERRENCE J. JOYCE, DEFENDANT,

DEFENDANT'S MOTION TO DENY PLAINTFF'S MOTION FOR SUMMARY JUDGMENT

The defendant respectfully requests that this court deny the United States request for summary judgment pursuant to rule 56 of the Federal Rules of Civil Procedure for the reasons set forth in the accompanying Memorandum.

Respectfully Submitted,

Dated: JANUARY 22 , 2007

CERTIFICATE OF SERVICE

I, Terrence J. Joyce, hereby certify that a copy of the foregoing document has been served, pro se, via certified United States mail, postage prepaid on the 22 day of January, 2007 upon the following parties:

United States of America 1 Courthouse Way, Suite 9200 Boston, Mass. 02210